

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Marie Assa'ad-Faltas, MD, MPH,)	C/A No.: 1:11-3079-TLW-SVH
)	
Petitioner,)	
)	
vs.)	
)	
State of South Carolina; Nimrata R.)	
Haley, as SC's Governor; Alan Wilson,)	
as SC's Attorney General; Jean Toal, as)	
administrative head of all SC's state)	
courts; Mark Keel, as Chief of SC's)	
State Law Enforcement Division)	ORDER
(SLED); Ken Lancaster, as Acting Head)	
of SC's Department of Public Safety;)	
Leon Lott, as Sheriff of Richland)	
County, SC, and Warden of the Alvin S.)	
Glenn Detention Center (ASGDC);)	
Jeannette McBride, as Richland)	
County's Clerk of Court; William)	
Nettles, as U.S. Attorney for the District)	
of South Carolina (D.S.C.); the City of)	
Columbia, SC; and Leslie Coggiola,)	
officially as SC's Disciplinary Counsel,)	
all officially and solely for injunctive)	
relief,)	
)	
Respondents.)	

This is an action seeking habeas corpus relief under 28 U.S.C. § 2241. Petitioner is currently released on bond awaiting trial on state criminal charges. Under Local Civil Rule 73.02(B)(2) (D.S.C.), pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

Petitioner has requested to proceed without prepaying the filing fee by filing a document entitled Motion and Declaration for Leave to Proceed *IFP* [Entry #2], which is construed as a motion to proceed *in forma pauperis*. Based on a review of the motion, Petitioner's request to proceed *in forma pauperis* is **granted**.

Petitioner has also filed a Motion to “Designate a U.S. Judge or Justice from outside South Carolina or from the Fourth Circuit to Hear this Matter.” [Entry # 6]. Petitioner’s motion, and supplemental pleadings in support thereof, provide no basis for recusal of the judges assigned to this action. [Entry #7, #10, #12, #13]. Therefore, Petitioner’s Motion to Designate a U.S. Judge or Justice from outside South Carolina or from the Fourth Circuit to Hear this Matter is **denied**.

Petitioner’s Motion further seeks a “Permanent Injunction Ordering all Clerks in South Carolina’s State Courts to Accept All *pro se* Submissions from Dr. Assa’ad-Faltas Without Discrimination.” Petitioner attaches to the motion an order from the South Carolina Supreme Court which prohibits Petitioner from filing any documents *pro se*, “due to the frivolous, repetitive and abusive nature of appellant’s filings in [the South Carolina Supreme Court] and other courts in this state.” [Entry # 6-1 at p. 11]. The order states that Petitioner “is not precluded from addressing any grievances she may have in the courts of this state, assuming she is represented by counsel and such grievances are not frivolous.” *Id.* at 11–12. Petitioner has failed to make a strong showing of irreparable harm if the injunction were to be denied. *See The Real Truth About Obama, Inc. v. Fed. Election Comm’n*, 575 F.3d 342, 345–47 (4th Cir. 2009) (discussing factors used to determine whether injunctive relief should be granted prior to trial), *vacated in part on other grounds*, 130 S. Ct. 2371 (2010). Therefore, Plaintiff’s Motion for a Permanent Injunction is **denied**.

TO THE CLERK OF COURT:

The Clerk of Court shall not serve the § 2241 petition upon Respondents because the petition is subject to dismissal.

The Clerk of Court shall not enter any change of address submitted by Petitioner which directs that mail be sent to a person other than Petitioner unless that person is an attorney admitted to practice before this court who has entered a formal appearance.

TO PETITIONER:

Petitioner must place the civil action number listed above on any document filed in this case. **Any future filings in this case must be sent to 901 Richland Street, Columbia, South Carolina 29201.** All documents requiring Petitioner’s signature shall be signed with Petitioner’s full legal name written in Petitioner’s own handwriting. *Pro se* litigants shall *not* use the “s/typed name” format used in the Electronic Case Filing System. In all future filings with this court, Petitioner is directed to use letter-sized (8½ inches x 11 inches) paper only, to write or type text on one side of a sheet of paper only and not to write or type on both sides of any sheet of paper. Petitioner is further instructed not to write to the edge of the paper, but to maintain one inch margins on the top, bottom, and sides of each paper submitted.

Petitioner is a *pro se* litigant. Petitioner's attention is directed to the following important notice:

You are ordered to always keep the Clerk of Court advised **in writing** (901 Richland Street, Columbia, South Carolina 29201) if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If as a result of your failure to comply with this order, you fail to meet a deadline set by this court, **your case may be dismissed for violating this order.** Therefore, if you have a change of address before this case is ended, you must comply with this order by immediately advising the Clerk of Court in writing of such change of address and providing the court with the docket number of all pending cases you have filed with this court. Your failure to do so will not be excused by the court.

IT IS SO ORDERED.



January 13, 2012
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge